N. P.

Government of Madras

PUBLIC WORKS DEPARTMENT.

IRRIGATION

G.O. No. 233 I., 13th June 1917

Buildings

Stating that in consideration of the very exceptional circumstances of the case the Government agree to the transfer of the Public Works Department — at Thekkady, Madura division, to the Postal department without recovery of the original cost and the centage charges thereon.

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READ—the following papers :—

I

G.O. No. 572 I., dated 13th December 1915.
G.O. No. 6719 C., dated 14th October 1916.
G.O. No. 8131 C., dated 9th December 1916.

II

Letter—from T. MONTEATH, Esq., B.A., I.C.S., Officiating Postmaster-General, Madras Circle.
To—the Joint Secretary to Government, Public Works Department.
Dated—the 19th January 1917.
No.—B.B.-249/2.

With reference to your letter No. 8131 C., dated the 9th December 1916, I have the honour to say that a combined post and telegraph office was opened at Kumili solely for the convenience of the Public Works Department engaged in the Periyār water works. The office was maintained there only on administrative grounds and it was not paying according to the standards of this department.

2. In 1912, the Public Works Department desired to have the office removed to Thekkady, and they offered to place at the disposal of this department, the quarters of the hospital lascar and linemen at the station. The building was subsequently adapted to the requirements of this department at a cost of Rs. 1,600 — vide this office letter No. B.B. 249, dated the 9th November 1915.

3. The combined office was removed from Kumili to this building at Thekkady on the 1st September 1915. Even now it is not self-supporting. As the office is thus kept open only for the benefit of the Irrigation Department, I do not consider it reasonable that this department should bear the capital cost of the original construction of the building in addition to the expenditure of Rs. 1,600 already incurred for improvements to the building. In the circumstances, I beg that Government may be pleased to issue orders for waiving the recovery of Rs. 1,057 and centage charges from this department.

III

Letter—from Col. W. M. ELLIS, R.E., Secretary to the Government of Madras, Public Works Department (Irrigation Branch).
To—the Secretary to the Government of India, Public Works Department.
Dated—the 15th March 1917.
No.—747/17-A/2.

Quarters of the hospital lascar and linemen at Thekkady, Periyār system.

I am directed to address the Government of India for sanction to waive the recovery from the Post office department of the market value of the marginally-noted building connected with the Periyār Irrigation system which was transferred to that department for purposes of a combined post and telegraph office.

2. The combined office which is maintained mainly in the interests of the Periyār Irrigation system was originally located in a private rented building at Kumili, a mile and a half from Thekkady and was for administrative convenience removed to the latter place from 1st September 1915. The cost of the building, viz., Rs. 1,057, was debited to the "open capital account" of the Periyār system. The building has subsequently been adapted by the Post office department to the requirements of a combined office at a cost of Rs. 1,600. As the market value of the building could not be ascertained owing to the improvements required having been effected urgently by the Post office department, this Government ordered in consultation with the Accountant-General, Madras, that its original cost together with the centage charges thereon, should be adjusted with reference to paragraph 1508 of the Public Works Department Code.

3. The Postmaster-General, Madras, now states that the post office is maintained only on administrative grounds and is not a paying concern according to the standards of the department, that even now the office is not self-supporting and that it appears unreasonable that the Post office should be required to bear the capital cost of the building in addition to the expenditure of Rs. 1,600 already incurred by them for improvements thereto. He accordingly requests that the recovery of the capital cost and the centage charges thereon be waived.

The Governor in Council agrees with the views of the Postmaster-General and recommends that as a special case the charges in question may be waived. As under paragraph 4 of the Finance Department Resolution No. 295 A., dated 19th January 1910, the sanction of the Government of India is necessary, I am to solicit that the requisite sanction may be obtained and communicated.

IV

Letter—from C. T. MULLINGS, Esq., Superintending Engineer, VI Circle.
To—the Secretary to Government, Public Works Department.
Dated—Trichinopoly, the 15th March 1917.
No.—361 C.E.

I have the honour to enquire what orders if any have been passed on the Postmaster-General's letter No. B.B. 249/2, dated 19th January 1917, addressed to you on the subject of waiving the recovery of the value of the Public Works Department building transferred to the Postal department for use as a combined Post and Telegraph office at Thekkady.

2. The expenditure of Rs. 1,057 debited to the head "45. Civil Works—Imperial —Postal Minor Works" is held in audit objection by the Accountant-General for want of an allotment.

V

Official Memorandum No. 747/17 A-3, dated 27th March 1917.

With reference to his letter No. 361 C.E., dated 15th March 1917, regarding the transfer of the Public Works Department buildings at Thekkady to the Postal department, the Superintending Engineer, VI Circle, is informed that the Government of India have been addressed for sanction to waive the recovery of the market value of the buildings and that the orders of that Government are awaited.

(By order)

F. E. MORGAN,
Under Secretary to Govt., P.W.D.
(Irrigation Branch).

To the Superintending Engineer, VI Circle.

Copy to the Accountant-General, with a copy of the Superintending Engineer's letter.

VI

Letter—from T. MONTEATH, Esq., B.A., I.C.S., Officiating Postmaster-General, Madras Circle.
To—the Joint Secretary to Government, Public Works Department.
Dated—the 21st April 1917.
No.—B.B.-249/2.

I have the honour to invite a reference to this office letter No. B.B.-249/2, dated the 19th January 1917, on the subject of the capital cost of the original construction of the post office building at Thekkady, being borne by this department, and to request the favour of an early reply thereto.

VII

Letter—from Mr. J. E. LACEY, I.S.O., Assistant Secretary to the Government of India, Public Works Department (Civil Works—Irrigation).
To—the Secretary to the Government of Madras, Public Works Department (Irrigation Branch).
Dated—Simla, the 4th May 1917.
No.—314 I.

I am directed to acknowledge the receipt of your letter No. 747/17-A/2, dated the 15th March 1917, requesting sanction to the exemption of the Post office department from the payment of the original cost, *viz.*, Rs. 1,057 and centage charges thereon, of the marginally-noted building which was transferred to that department for purposes of a combined post and telegraph office.

Quarters of the hospital lascar and linemen at Thekkady, Periyār system.

2. In reply I am to say that in the opinion of the Government of India it would be preferable to follow the ruling in paragraph 1508 of the Public Works Department Code, but in the circumstances explained in paragraph 3 of your letter they will not demur to the wish of the local Government that the charges may be waived.

Order—No. 233 I., dated 13th June 1917.

In consideration of the very exceptional circumstances of the case, the Government agree to the transfer of the buildings, in question, to the Postal department without recovery of the original cost and the centage charges thereon.

(True Extract)

W. M. ELLIS, Col., R.E.,
Secretary to Government, P.W.D.
(Irrigation Branch).

To the Postmaster-General, Madras.
,, Accountant-General, Madras.
,, Superintending Engineer, VI Circle.
,, Public Works Department (General).

Forwarded to the

(By order)

Manager.

NOTES CONNECTED WITH G.O. No. 233 I., DATED 13TH JUNE 1917.

[SUBJECT.—*Transfer of the Public Works Department buildings at Thekkady to the Postal Department.*]

From the Postmaster-General, Madras, dated 19*th January* 1917, *Circle No. B*–249/2.

PUBLIC WORKS DEPARTMENT.

The transfer of certain Irrigation Department buildings at Thekkady to the Postal Department was ordered in G.O. No. 572 I., dated 13th December 1915. The Postmaster-General requests in his letter quoted above that the buildings may be given over to the Postal Department free of cost. This request may be remitted to the Public Works Department (Irrigation) for consideration.

T.R.—29-1-17.

S.G.—30/31-1-17.

D. MARSHALL—31-1-17.

PUBLIC WORKS (IRRIGATION) DEPARTMENT.

Submitted for orders.

2. The case is governed by paragraph 1508 (v) of the Public Works Department Code, Volume II (vide Accountant-General's letter on page 2 of G.O. No. 572 I., dated 13th December 1915) as reconstructed by Standing Order No. 95, dated 6th June 1910, which lays down that if any land or building is transferred to or from a Commercial Department [Irrigation (Major works) is a Commercial Department —vide India's letter on page 2 of G.O. No. 3075, Revenue, dated 11th October 1912] for which regular revenue and capital accounts are kept, the full market value of the land or building shall be debited or credited as the case may be to such department. The note to this paragraph issued with S.O. No. 189, dated 20th June 1914, while directing that all adjustments arising out of the transfer of State lands or buildings from the Imperial Government to a local Government or vice versa shall ordinarily be made free of charge except in cases where the total cost involved exceeds Rupees 10,000, distinctly prohibits such adjustments in the case of transfers governed by sub-paragraph (v) referred to above. Please see in this connection also G.O. No. 1574 W., dated 10th August 1914. In letter No. 8131 C., dated 9th December 1916, the Postmaster-General was informed after consultation with the Accountant-General that the cost of the building together with centage charges should be allotted by the Postal Department. The Postmaster-General now states that the combined office at Thekkady is not self-supporting and is kept open only for the benefit of the Irrigation Department, and observes that it is not reasonable that the Postal Department should bear the capital cost of the building in addition to the expenditure of Rupees 1,600 already incurred by them on improvements to the building. In these circumstances he requests that the recovery of the capital cost and the centage charges may be waived.

3. The fact that the post office is being maintained only in the interests of Periyar Irrigation seems to supply a weigty piece of argument in favour of the contentions of the Postmaster-General and as such deserves consideration by Government. It is for orders whether the recovery of the amounts may be waived. If so, it would appear necessary to address the Government of India in the matter in view of the instructions in paragraph 4 of Finance Department Resolution No. 295 A., dated 19th January 1910, printed on pages 2-3 of G.O. No. 419,

M

Revenue, dated 7th February 1910. The remarks of Revenue and Financial may, it is submitted, be invited on this point.

S.S.—6-2-17.

P.K.S.—6-2-17.

F. E. MORGAN—7-2-17.

W. M. ELLIS—9-2-17.

REVENUE DEPARTMENT.

In view of the fact that the post office is maintained only in the interests of Periyar irrigation, Revenue may, it is submitted, agree to the waiving of the recovery from the Postal Department of Rs. 1,057 towards capital cost of the Thekkady Post office building and of centage charges.

A.R.K.—2-3-17.

The file may be passed on to the Financial Department.

T.A.R.—27-2-17.

V. A. ANANTARAMA AYYAR—1-3-17.

A. R. KNAPP—2-3-17.

FINANCIAL DEPARTMENT.

Please see Accountant-General's letter 285 M. D. S/8260, dated 27th July 1916, and his telephonic message, 4th September 1916, on pages 2 and 4 of letter 6719 C., dated 14th October 1916, under which a sum of Rs. 1,057 plus centage charges thereon at 23 per cent has to be adjusted by debit to 45. Imperial Civil Works—Postal, and credit to 49. Irrigation Works. If Government propose to view the proposal of the Postmaster-General to waive the recovery of Rs. 1,057 + 23 per cent thereon from that department, there is no objection to do so, Provincial being unaffected. The sanction of Government of India will be necessary—vide portion **M** on page 1 ante.

T.H.R.—5-3-17.

Whether the incidence is 45. Civil Works—Imperial or "49—Irrigation," Provincial revenues are not affected. There is no objection therefore in Financial to India being addressed, this however without prejudice to the application of this precedent to any case in which Provincial revenues might be affected.

L. E. KERSHAW—6-3-17.

PUBLIC WORKS (IRRIGATION) DEPARTMENT.

A draft letter to the Government of India is put up for approval and issue.

G.V.—12-3-17.

P.K.S.—12-3-17.

F.E.M.—13-3-17.

W.M.E.—13-3-17.

[Letter to India No. 747/17-A 2, dated 15th March 1917.]

PUBLIC WORKS DEPARTMENT.

From the Superintending Engineer, VI Circle, No. 361 *C.E.*/606, *dated* 15*th March* 1917.

The letter referred to by the Superintending Engineer was transferred to Public Works Department (Irrigation) on 31st January 1917 with this office P. W. u.o. No. 223 Accts. 1. The present letter from the Superintending Engineer may be transferred to them in continuation.

T.R.—20-3-17.

S.G.—22-3-17.

W. G. MOLESWORTH—22-3-17.

PUBLIC WORKS (IRRIGATION) DEPARTMENT.

The matter has been referred to the Government of India. A draft official memorandum to the Superintending Engineer, informing him accordingly is put up for approval.

S.S.—26-3-17.

P.K.S.—26-3-17.

F. E. MORGAN—26-3-17.

[Official Memorandum to Superintending Engineer, VI Circle, issued as No. 747/17-A. 3, dated 27th March 1917.]

Letter from the Postmaster-General, B.B. No. 249/2, dated 21st April 1917.

From the Government of India, Public Works Department, No. 314 I., dated 4th May 1917.

In their letter read above the Government of India while according sanction to waive the recovery from the Postal Department of the capital cost of the buildings, point out that in their opinion it would be preferable to follow the ruling in paragraph 1508 of the Public Works Department Code. The letter may be communicated to the Postmaster-General. A draft order is put up and may be sent to Public Works, Revenue and Financial for perusal before issue.

G.V.—12-5-17.

P.K.S.—12-5-17.

F.E.M.—14-5-17.

I take it the meaning of the qualified sanction is that the case is not to be quoted as a precedent.

(1) I think in view of the Government of India letter this Government should distinctly again state if they agree to transfer of the building without recovery of the capital cost.

(2) I think Government should adhere to their original* view and an order to this effect may be drafted.

W. M. ELLIS—14-5-17.

* This means the view expressed in letter to Government of India.

W.M.E.—14-5-17.

Please see Secretary's note above.

I think this is the intention.

F.E.M.—16-5-17.

Yes.

W.M.E.—16-5-17.

It is not quite clear (1) if the recovery of the cost of the building should be waived as a special case in the present instance, which should not be quoted as a precedent in future, or (2) if the Government should adhere to their original view expressed in G.O. No. 572 I., dated 13th December 1915, that the cost should be adjusted with reference to paragraph 1508 of the Public Works Department Code, Volume II. The idea seems to be that in view of India's letter, it would be proper to adjust the charges with reference to paragraph 1508 of the Code, but that Government agree to the transfer of the building in question without the recovery of charges as a special case in the present instance. A draft order in this sense is put up which, if approved, may be sent to Public Works, Revenue and Financial for perusal before issue.

T.S.R.—16-5-17.

F.E.M.—16-5-17.

My reference at (2) above was to the view expressed in the letter to the Government of India, viz., that the charges due should be waived.

Looking at Public Works Department Code, paragraph 1508, the case seems to come under either cases I or II and these both contemplate no charge being

A | made provided, as in this case, "the transfer causes no expense to the transferring service"; apparently this is not the view previously held and expressed. Please

B | note the authority under which it was proposed in G.O. No. 572 I., dated 13th December 1915, to debit the Postal Department with the capital cost of this building.

W.M.E.—16-5-17.

Please see Secretary's note at (**A**) and (**B**) on page 3 ante.

(**A**) Secretary apparently referred to the old paragraph 1508 of the Code, which has since been reconstructed in Standing Order No. 95, Volume II, dated 6th June 1910. According to clause (v) of the reconstructed paragraph, if a building is transferred to or from a Commercial Department (in which "Irrigation" is included), for which revenue and capital accounts are kept, the full market * value of the building transferred should be credited or debited, as the case may be, to such department.

W.M.E.—16-5-17.

* In the present case the market value could not be ascertained. Hence it is prepared to adjust the original cost of the building together with the centage charges thereon.

(**B**) The above was pointed out by the Accountant-General in his letter No. 545 M.D.S./13649, dated 4th October 1915, to the Executive Engineer, as a result of which necessary orders were passed in G.O. No. 572 I., dated 13th December 1915.

T.S.R.—16-5-17.

F. E. MORGAN—17-5-17.

The order may be revised and merely state that in consideration of the very exceptional circumstances of the case the Government agree to the transfer of the building to the Postal Department without recovery of the original cost.

W. M. ELLIS—17-5-17.

A revised draft order is submitted. If approved, it may be sent to Public Works, Revenue and Financial for perusal before issue.

T.S.R.—17-5-17.

F.E.M.—18-5-17.

W.M.E.—19-5-17.

PUBLIC WORKS DEPARTMENT.

The draft order may be accepted and the file passed on to Revenue.

T.R.—24-5-17.

S.G.—28-5-17.

D. MARSHALL—31-5-17.

REVENUE DEPARTMENT.

Please see this department notes at page 2 supra.

The draft order may be accepted in this department and the file passed on to Financial.

T.A.R.—6-6-17.

V. A. ANANTARAMA AYYAR—6-6-17.

A. R. KNAPP—8-6-17.

FINANCIAL DEPARTMENT.

Accepted in Financial.

L. E. KERSHAW—8-6-17.

PUBLIC WORKS (IRRIGATION) DEPARTMENT.

The draft order may now issue.

T.S.R.—10-6-17.

Issue.

F.E.M.—11-6-17.

[G.O. No. 233 I., dated 13th June 1917.]

Sect. —10(d) 14,002—19-4-18.

Public Works DEPARTMENT.
Irrigation.
Buildings.
Accounts.

Buildings -- Stating that in consideration of the very exceptional circumstances of the case the Govt. agree to the transfer of the P.W.D., building at Thekkady, Madura Divn. to the Postal Department without recovery of the original cost and the centage charges thereon.

READ AGAIN G.O. No. 572-I, dated 13th December 1915.
" " " 6719 C, " 14th October 1916.
8131-C ,, 9th December 1916.

READ ALSO :—

C. No. , From the Postmaster General, Madras No. BB-249/2, dated 19-1-17.
Letter to the Govt. of India, No.747/17-2 dated 15-3-17.
From the S.E. VI Circle, No.361 C.E., dated 15-3-17.
To -do- 747/17-3 ,, 27-3-17.
From the Postmaster General, Madras, No. BB/249/2, dated 21-4-17.
Letter from the Govt. of India, No.314-I, dated 4-5-17.

ORDER. No. 233-I, dated 13.6. 1917.

Press.

In consideration of the very exceptional circumstances of the case the Government agree to the transfer of the buildings, in question, to the Postal Department without recovery of the original cost and the centage - charges thereon.

To

The Postmaster General, Madras.
,, Accountant-General, Madras.
,, Supg. Engineer, 6th Circle.
,, P.W.D., General. with copy of note

DESPATCHED
Date 15/6/17

Spare copies despatched on 5-7-17.

Copy of notes to P.W.D. (Genl.) will be sent in print.